debate prior to a vote in relation to the Vitter amendment No. 2630, with the time equally divided and controlled in the usual form, and that at 5:55 p.m. the Senate proceed to vote in relation to the Vitter amendment No. 2630, with no amendment in order to the amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I rise to speak against the Vitter amendment. This amendment is downright dangerous. It is dangerous to threaten policing funds to cities such as New York, San Francisco, Los Angeles, Chicago, Washington, DC, and smaller towns across America that have chosen to encourage their community members to report crime.

The Senate tabled this same amendment last year. The reason this body was wise enough to defeat it last year was because we understood that some of the toughest law enforcement officials in our country, from sheriffs to prosecutors, and a whole host of law enforcement officials in between, understand the cooperation of the communities essential in fighting crime. Senator VITTER's amendment would deny moneys to at least 50 cities in a whole host of States represented by Members on both sides of the aisle.

I want to solve the crime. I want to get the perpetrator. I want to convict the person and put them in jail. I don't want the opportunity to go to waste because of some political statement having nothing to do with the core issue of security in our communities. Do we want witnesses to be able to come forward and provide essential, crucial eye witness testimony about the crime or do we want them to hide in the darkness and not talk to police because they are afraid of their immigration status? I want to make sure a witness comes forth and testifies against a perpetrator and has no fear to do so. That is why local police oppose this amendment.

The unwillingness of that person to come forward because of a fear may lead to other crimes being committed by that same individual in the same community; perhaps to a child who might be molested, to a person who might be assaulted, to a family who might get robbed.

So instead of catching the perpetrator, we prefer to deny moneys to communities that have a view that community policing is in their best interests and that means bringing the community in as part of that effort. These cities have made decisions across the landscape of this country—urban, suburban, and rural—to say we care more about prosecuting the crime and finding the criminal and having the witness come forward to tell us all about that crime so we can stop that person from continuing to perpetrate crimes against other people in our communities than we care about the

person's status. These cities have decided they do not want a chilling effect to prevent people from reporting crime.

That is what tough law enforcement will tell you. Sheriffs will tell you, prosecutors will tell you, police chiefs will tell you, and they will tell you they want the community to participate in fighting crime. That is why we should vote to table the Vitter amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Under the previous order, the question is on agreeing to amendment No. 2630.

Mr. MENENDEZ. Mr. President, I move to table, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—61

Akaka	Hagan	Nelson (FL)
Baucus	Harkin	Pryor
Bayh	Inouye	Reed
Begich	Johnson	Reid
Bennet	Kaufman	Rockefeller
Bingaman	Kerry	Sanders
Boxer	Kirk	Schumer
Brown	Klobuchar	Shaheen
Burris	Kohl	Snowe
Cantwell	Lautenberg	Specter
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Lincoln	Udall (NM)
Dodd	McCaskill	Voinovich
Dorgan	Menendez	Warner
Durbin	Merkley	Webb
Feingold	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

NAYS—38

Alexander	Crapo	Landrieu
Barrasso	DeMint	LeMieux
Bennett	Ensign	Lugar
Bond	Enzi	McCain
Brownback	Graham	McConnell
Bunning	Grassley	Risch
Burr	Gregg	Roberts
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Thune
Collins	Isakson	Vitter
Corker	Johanns	Wicker
Cornyn	Kyl	

NOT VOTING—1

Byrd

The motion was agreed to.

Mr. MENENDEZ. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2627

Mr. LEVIN. Mr. President, I ask unanimous consent that the pending

amendment be laid aside so that I may call up, on behalf of myself and Senator COBURN, amendment No. 2627.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. COBURN, proposes an amendment numbered 2627.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure adequate resources for resolving thousands of offshore tax cases involving hidden accounts at offshore financial institutions)

At the appropriate place, insert the following:

SEC. ____. (a) IN GENERAL.—The Attorney General shall direct sufficient funds to the Tax Division, including for hiring additional personnel, to ensure that the thousands of civil and criminal cases pending or referred during the 2010 fiscal year to the Tax Division or to an Office of a United States Attorney related to a United States person who owes taxes, interest, or penalties in connection with a foreign financial account at an offshore financial institution or who assisted in the establishment or administration of such an account are—

(1) acted on in a prompt fashion by a Federal prosecutor or attorney;

(2) resolved within a reasonable time period; and

(3) not allowed to accumulate into a backlog of inactive cases due to insufficient resources.

(b) REPROGRAMMING.—If necessary to carry out this section, the Attorney General shall submit a request during the fiscal year 2010 to reprogram funds necessary for the processing of such civil and criminal cases.

Mr. LEVIN. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2647, AS MODIFIED

Mr. DURBIN. Mr. President, I ask unanimous consent that the pending amendment be set aside and I be allowed to offer an amendment to the pending legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I send an amendment to the desk and ask the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2647, as modified.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.